

REMARKS

Claims 1-13 remain in the application. Claims 1, 3, and 4 have been amended. A version with markings to show changes made follows page 8. Claim 14 has been cancelled. Claims 15-25 have been added. The commissioner is hereby authorized to charge any additional filing fees required under 37 C.F. R. § 1.16, as well as any patent application processing fees under 37 C. F. R. § 1.17 associated with this communication for which full payment had not been tendered, to Deposit Account No. 01-0025. Reconsideration of this application, as amended, is respectfully requested.

Claim 1 has been amended to incorporate the subject matter of claim 14. Support for this amendment can be found at page 7, lines 3-6 of the specification. Claims 4 and 5 have been amended to depend from claim 3. Claims 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 have been added to recite the subject matter of claims 13, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, respectively, with claim 15 being equivalent to original claim 13 and claim 16-25 being analogous to claims 2-11, respectively, but depending from new claim 15.

Claims 1-11 and 14 were rejected under 35 U. S. C. § 102 (b) as being anticipated by US 1,366,789 to Graham. This rejection is respectfully traversed for the following reasons.

Graham, United States Patent No. 1,366,789 (hereinafter "Graham"), discloses a liquid receptacle attachment having a base and a plurality of projections extending to substantially the same distance therefrom and adapted to form closures for receptacles having mouths of different sizes. The projections are sized to engage a small, medium, or large-necked bottle, as needed.

Claim 1, as amended, now requires that the third segment contain at least one outlet for residual liquid, from which outlet residue from the third segment can flow. At page 7, lines 3-6 of the specification, it is stated:

The connector 10 preferably contains residue outlets 52 and 52a, in order to allow liquid residue accumulating in the well of the third segment 16 to flow more rapidly when the second segment 14 is attached to a container having a mouth having a diameter of relatively intermediate size.

These residue outlets are neither disclosed nor suggested by Graham. The outlet openings 22 disclosed in Graham enable fluid to flow from one container to another container. The residue outlets 52, 52a enable residual fluid from the well of the third segment to flow from the third segment to the second segment more rapidly when the second segment is attached to a container having a mouth having a diameter of relatively intermediate size. Graham does not disclose or suggest any means for residual fluid to be drained from one segment to another segment. For this reason, it is submitted that Graham neither anticipates claims 1-13, as amended, nor renders claims 1-13, as amended, obvious to one of ordinary skill in the art.

Claim 12 was rejected under 35 U. S. C. § 103 (a) as being unpatentable over US 1,366,789 to Graham in view of US 4,614,437 to Buehler. This rejection is respectfully traversed for the following reasons.

Buehler, United States Patent No. 4,614,437 (hereinafter "Buehler"), discloses a mixing container and an adapter to interconnect the mixing container to a second container to permit intermixing of the contents of the containers. The mixing container has a neck with a plurality of raised circumferential ribs thereon. The adapter has a central cylindrical sleeve. A first end of the sleeve is surrounded by a cylindrical skirt. The interior surface of the first end of the sleeve has a plurality of circumferential grooves which enable the adapter to engage the ribs on the neck of the mixing container. The interior surface of the cylindrical skirt has a screw thread to enable the adapter to engage a conventional threaded container neck. The opposite, or second end, end of the sleeve has a cutting sleeve therein, concentric with the sleeve. The cutting sleeve is adapted to pierce a seal on the mixing container.

Claim 12 depends from claim 1. Claim 1 has been amended to recite that the third segment contains at least one outlet for residual liquid, from which outlet residue from the third segment can flow. Neither Graham nor Buehler discloses or suggests any means for residual fluid to be drained from one segment to another segment. For this reason, the combination of Graham and Buehler does not render claim 12 obvious to one of ordinary skill in the art.

Claim 13 was rejected under 35 U. S. C. § 103 (a) as being unpatentable over US 1,366,789 to Graham in view of US 4,614,437 to Buehler in view of US 4,010,756 to DuMont et al. This rejection is respectfully traversed for the following reasons.

DuMont et al., United States Patent No. 4,010,756 (hereinafter "DuMont et al."), discloses a surgical electrode consisting of an insulated stainless steel wire having needles conductively affixed at one or both ends, at least one needle having a blunt end with a straight shank and having a weakened zone between the straight shank and the opposite pointed end of the needle whereby the pointed end may be snapped off and the straight shank used as an electrical jack for connection to a pacemaker or similar electric current generating or monitoring device.

Claim 13 depends from claim 12, which depends from claim 1. Claim 1 has been amended to recite that the third segment contains at least one outlet for residual liquid, from which outlet residue from the third segment can flow. None of Graham, Buehler, DuMont et al. discloses or suggests any means for residual fluid to be drained from one segment to another segment. For this reason, the combination of Graham, Buehler, and DuMont et al. does not render claim 13 obvious to one of ordinary skill in the art.

New claim 15 is equivalent to original claim 13. DuMont et al. relates to the field of surgical electrodes, which are used for stimulation of the heart. DuMont et al. does not relate to the field of liquid receptacle attachments, the field with which the present invention is concerned. The art area of DuMont et al. is not analogous to the art area of this invention. Thus, the rejection based on the combination of DuMont et al. and

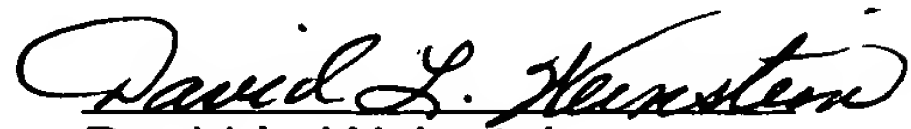
Graham is a hindsight reconstruction of the prior art, which reconstruction could have been perceived only after seeing the Applicants' disclosure. It is impermissible to use the inventor's disclosure as a "road map" for selecting and combining prior art disclosures. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. For this reason, the combination of DuMont et al. and Graham is impermissible, and, consequently, that combination cannot render claims 15-21 obvious to one of ordinary skill in the art.

It is requested that the Examiner consider the Information Disclosure Statement mailed on May 3, 2002. See copy of the attached return receipt post card. Because this Information Disclosure statement was mailed on May 3, 2002, which is prior to the mailing date of the first Office Action (May 9, 2002), this Information Disclosure Statement should be considered in accordance with 37 C.F.R. § 1.97 (b) (3).

In view of the foregoing, it is submitted that claims 1-13 and 15-21 are in condition for allowance, and official Notice of Allowance is respectfully requested.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Kindly rewrite claims 1, 4, and 5 as follows:

1. (Once amended) A connector suitable for use with a plurality of containers, said connector comprising:

a first segment capable of connecting a container having a mouth having a relatively large diameter;

a second segment capable of connecting a container having a mouth having a relatively intermediate diameter; and

a third segment capable of connecting a container having a mouth having a relatively small diameter , wherein said third segment contains at least one outlet for residual liquid, from which outlet residue from said third segment can flow.

4. (Once amended) The connector of claim [1] 3, wherein the diameter of said orifice of said first segment is greater than the diameter of said orifice of said second segment.

5. (Once amended) The connector of claim [1] 3, wherein the diameter of said orifice of said second segment is greater than the diameter of said orifice of said third segment.

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May 3, 2002

Patent Office Mail Room: Will you please affix the Patent Office Stamp and return this card to acknowledge receipt of the following documents:

Applicants: Brian J. Hopkins, et al.
Ser No.: 09/608,303
Filed: June 30, 2000
Title: UNIVERSAL CONNECTOR

1. Transmittal Letter - 1 page (in duplicate)
2. Information Disclosure Statement - 1 page (in duplicate)
3. USPTO Form 1449 - 1 page (in duplicate)
4. Copies of 7 references cited.
5. Copy of the PCT Search Report
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